IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

JOHN WESLEY RAUCH,

     Plaintiff,

v.   No. 13-cv-1232 MCA/SMV

EDDY COUNTY SHERIFF'S
OFFICE, et al.,

     Defendants.

**ORDER GRANTING LEAVE TO PROCEED
PURSUANT TO 28 U.S.C. § 1915(b),
AND TO MAKE PAYMENTS OR SHOW CAUSE**

THIS MATTER is before the Court on Plaintiff's motions for leave to proceed pursuant to

28 U.S.C. § 1915 [Docs. 2, 9, 11].   Because the Court grants the motion, the filing fee for this civil

rights complaint is $350.00.   Pursuant to § 1915(b)(1), Plaintiff is required to make installment

payments until the full amount of the filing fee is paid.   Based on Plaintiff's financial status, the

Court finds that Plaintiff owes an initial partial payment of $3.00 pursuant to § 1915(b)(1).   The

Court will not review the merits of the civil rights complaint unless the initial partial payment is

paid or excused.   If Plaintiff fails to make a payment by the designated deadline or show cause

why such payments should be excused, the civil rights complaint may be dismissed without
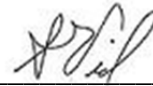
prejudice without further notice.

IT IS THEREFORE ORDERED that Plaintiff's motions for leave to proceed pursuant to

28 U.S.C. § 1915 [Docs. 2, 9, 11] are **GRANTED**;

IT IS FURTHER ORDERED that, within **thirty (30) days** from entry of this order, Plaintiff send to the Clerk an initial partial payment of **$3.00** or show cause why the payment should be excused;

IT IS FURTHER ORDERED that the Clerk is directed to provide Plaintiff with two copies of this order, and that Plaintiff make the necessary arrangements to attach one copy of this order to the check in the amount of the initial partial payment;

IT IS FINALLY ORDERED that, after payment of the initial partial fee, Plaintiff make monthly payments of twenty per cent (20%) of the preceding month's income credited to his account or show cause why the designated payments should be excused.

IT IS SO ORDERED.

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STEPHAN M. VIDMAR
United States Magistrate Judge